

Strauss	Vick
Taylor	Winfield
Tynan	York

Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Mauritz	Weinert
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(President in the Chair.)

Leave of Absence to Senate Employees

The President announced that the members and officers of the Senate were authorized to grant leaves of absence to the employees under their supervision until Monday, April 7, 1947.

Resolution Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following resolution:

H. C. R. No. 69, Recalling H. B. 29 from the Governor for correction.

House Bills on First Reading

The follownig House bills received from the House today, were laid before the Senate, read first time, and referred to the committees indicated:

H. B. No. 40, to Committee on Public Health.

H. B. No. 333, to Committee on Aeronautics.

H. B. No. 334, to Committee on Aeronautics.

Adjournment

Senator Ramsey moved that the Senate adjourn until 10:30 o'clock a. m., Tuesday, April 8, 1947.

Senator Phillips moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Senator Hardeman moved that the Senate adjourn until 10:30 o'clock a. m., Monday, April 7, 1947.

Question first recurring on the motion of Senator Ramsey, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—7

Brown	Lane
Carney	Ramsey
Chadick	Taylor
Crawford	

Nays—21

Aikin	Morris
Bullock	Parrish
Cousins	Phillips
Hardeman	Proffer
Harris	Stanford
Hazlewood	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Moffett	

Absent—Excused

Mauritz	Weinert
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Question next recurring on the motion of Senator Hardeman, it prevailed.

The Senate, accordingly, at 1:20 o'clock p. m., adjourned until 10:30 o'clock a. m., Monday, April 7, 1947.

Record of Vote

Senators Strauss, Phillips and Knight asked to be recorded as voting "nay" on the motion to adjourn.

FORTY-SIXTH DAY

(Monday, April 7, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bullock
Brown	Carney

Chadick	Morris
Cousins	Parrish
Crawford	Phillips
Hardeman	Proffer
Harris	Ramsey
Hazlewood	Stanford
Jones	Strauss
Kelley of Hidalgo	Taylor
Kelly of Tarrant	Tynan
Knight	Vick
Lane	Winfield
Moffett	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Proffer, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 2, 1947, was dispensed with and the Journal approved.

Leave of Absence Granted

Senator Weinert was granted leave of absence for today and the remainder of the week on account of illness in his family on motion of Senator Ramsey.

Reports of Standing Committees

Senator Vick submitted the following report:

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred Senate Bill No. 210, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

VICK, Chairman.

Senator Jones submitted the following report:

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 346, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Senator York submitted the following report:

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 183, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

YORK, Chairman.

Senator Hazlewood submitted the following reports:

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Aeronautics, to whom was referred H. B. 333, have had same under consideration, and I am instructed to report it back to the senate with the recommendation that it do pass and be not printed.

HAZLEWOOD, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Aeronautics, to whom was referred H. B. 334, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HAZLEWOOD, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred House Bill No. 168, instructs me to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOFFETT, Chairman.

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 198, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 369, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 354, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 360, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,
April 2, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred House Bill No. 511, instructs me to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOFFETT, Chairman.

Senator Morris submitted the following reports:

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We your Committee on Highways and Motor Traffic, to whom was referred House Bill 286, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

MORRIS, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We your Committee on Highways and Motor Traffic, to whom was referred House Bill 129, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We your Committee on Highways and Motor Traffic, to whom was referred House Bill 207, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We your Committee on Highways and Motor Traffic, to whom was referred House Bill 508, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Senate Bill 382 on First Reading

Senator Kelley of Hidalgo moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York

Absent

Parrish Vick

Absent—Excused

Mauritz Weinert

The following bill then was introduced, read first time and referred to the Committee on Finance.

S. B. No. 382, A bill to be entitled "An Act to create and dedicate the Port Isabel Lighthouse, in the County of Cameron, State of Texas, as a State Historical Site; to rehabilitate, protect and preserve said Historical Site and place same under the care and protection of the State Parks Board; making an appropriation; and declaring an emergency."

Senate Bill 383 on First Reading

Senator Tynan moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

Present—Not Voting

Cousins

Absent

Parrish Vick

Absent—Excused

Mauritz Weinert

The following bill then was introduced, read first time and referred to the Committee on Privileges and Elections.

S. B. No. 383, A bill to be entitled "An Act amending Article 3162, Revised Civil Statutes of 1925, by eliminating therefrom the requirement

that independent candidates for nomination for city office be required to file a petition of five per cent of the entire vote cast in such city or town at the last general election; providing a method for independent candidates to file for a city or town office; repealing all laws in conflict and declaring an emergency."

Senate Concurrent Resolution 22

Senator Harris offered the following resolution:

S. C. R. No. 22, Providing for Delegates to attend Marine Fisheries' Conference sponsored by Council of State Governments.

Whereas, The Council of State Governments is sponsoring a conference in New Orleans, Louisiana, on April 10, 11, and 12, 1947, to draft, and consider the advisability of the five Gulf States entering into a compact governing marine fisheries in the coastal waters of the Gulf of Mexico; and

Whereas, It is important and essential that the State of Texas have representation at this conference, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the President of the Senate and Speaker of the House, respectively, appoint a member of the Senate and a member of the House to attend the conference; and that their expenses be paid from the respective contingent expense funds of the two Houses.

The resolution was read.

On motion of Senator Harris, and by unanimous consent, the resolution was considered immediately and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 172, A bill to be entitled "An Act regulating traffic or travel upon the highways of the State of Texas; prescribing penalties for the violation of the provisions of this Act;

containing a savings clause; and declaring an emergency." With amendment.

S. B. No. 80, To amend Subsection (b) of Section 3, Acts 1931, Chapter 282, Acts Regular Session, 42nd Legislature regulating the maximum height of vehicles unladen or with load; and declaring an emergency. (With amendments.)

S. B. No. 178, A bill to be entitled "An Act declaring a State policy with respect to the maintenance of water, gas and electric service by a utility as defined in said Act; defining terms; prohibiting any person or group of persons from picketing the premises of such a utility or otherwise harassing or intimidating utility employees who are entering or leaving such premises, or to do any other acts intended or calculated to disrupt the service of such utility or to prevent the maintenance thereof; providing a procedure for the enforcement of the provisions of the Act by injunction in the district courts of the State; providing that any person or persons who willfully destroy any property, equipment, machinery or facility used by such a utility in furnishing service to the public, or who commit any act of sabotage for the purpose of disrupting such utility service or for the purpose of preventing the maintenance of such service shall be guilty of a felony and fixing the punishment therefor; requiring the Governor and the Executive Department to utilize all lawful powers in the enforcement of the Act; providing that the Act shall not limit the right of an employee to quit work or to refuse to report for work; containing a severability clause; and declaring an emergency."

S. B. No. 264, A bill to be entitled "An Act making appropriation for an increase in salaries of state officials and state employees for the period beginning with the effective date of this Act and ending on August 31, 1947; supplementing the salaries designated and/or provided for in House Bills Nos. 804 and 309, and Senate Bills Nos. 38 and 67, Acts of the Regular Session of the 49th Legislature, and Senate Bill No. 133, Acts of the Regular Session of the 50th Legislature; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 164 by a vote of 119 yeas and 0 noes.

The House has concurred in Senate amendments to House Bill No. 605 by a vote of 116 yeas and 0 noes.

H. B. No. 330, A bill to be entitled "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Van Zandt County, to first obtain and have in his possession a written permit; etc., and repealing all laws in conflict with any provision of this Act, insofar as they relate to Van Zandt County."

H. B. No. 435, A bill to be entitled "An Act to increase the Civil Jurisdiction of the County Court of Kent County, and declaring an emergency."

H. B. No. 473, A bill to be entitled "An Act to make it unlawful to take or kill wild quail or mourning doves for a period of five (5) years in Borden County, Texas; fixing penalty; providing a rule of evidence; and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act providing for a closed season on wild turkey for five (5) years in Hardin County and providing for an open season on wild foxes in Hardin County; prohibiting the use of a dog or dogs in hunting or chasing deer in Hardin County; providing penalties; repealing all laws in conflict; providing a savings clause; and declaring an emergency."

H. B. No. 575, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer and/or wild turkey for a period of five (5) years in Roberts and Hemphill Counties, Texas; fixing penalties; and declaring an emergency."

H. B. No. 583, A bill to be entitled "An Act to amend House Bill No. 259, Acts, 1945 Regular Session, 49th Legislature, Chapter 175, page 231, regulating fishing in Comanche County, Texas, so as to prohibit catching or attempting to catch fish in Comanche County by the use of any net, seine, snag line or trap in the fresh waters of Comanche County; and declaring an emergency."

H. B. No. 587, A bill to be entitled "An Act prohibiting the taking, catching, or possession of fish for sale from the Neches River in Anderson County, Texas, and prohibiting the buying or selling or offering for sale or offering to buy, or having in his or their possession for sale, or to carry, transport or ship for the purpose of sale, barter or exchange, any fish caught from the waters of the Neches River in Anderson County, Texas; providing a penalty; repealing all laws and parts of laws in conflict; and declaring an emergency."

H. B. No. 646, A bill to be entitled "An Act authorizing the use of seines and nets for the taking of certain fish in the waters of Wise County, Texas, at any time during the year; providing certain regulations therefor; repealing all laws and parts of laws in conflict; and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act creating a special road law for Clay County, Texas; repealing all laws in conflict; and declaring an emergency."

H. B. No. 771, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the County of Taylor, Texas, for a period of five years; prescribing penalty for violation of this Act; and declaring an emergency."

H. B. No. 772, A bill to be entitled "An Act declaring open season on fox in Lee County and Burleson County, Texas, and making it lawful to kill any number of fox in Lee County and Burleson County, Texas, at all times; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act creating a more efficient road system for Panola County, Texas, etc., and declaring an emergency."

H. B. No. 777, A bill to be entitled "An Act to amend Article 1017 of the Revised Civil Statutes of Texas, 1925, to authorize the governing bodies of incorporated cities to sell and convey city-owned property, and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act providing a closed season on

wild deer and wild turkey in Williamson County; providing penalties for a violation of this Act and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act levying an occupation, license or privilege tax in addition to all other taxes now levied in this State upon gathering gas, making certain exclusions therefrom; defining certain terms; providing for certain records to be kept in Texas; providing for the computation, collection, and administration of such tax; providing the manner of filing reports and method of payment of same; providing that tax may not be deducted from any payment to seller of gas; providing for employment of auditors and/or other technical assistants to verify reports and make investigations and making appropriation therefor; providing for Attorney General to enjoin taxpayers from gathering gas when proper taxes have not been paid or proper reports filed; providing certain penalties and interest for failure to pay tax; providing that State shall have lien on certain property; providing that certain records shall be prima facie evidence in any judicial proceedings; providing that certain offenses shall be a misdemeanor; providing for additional penalties; providing for setting up credit by Comptroller for taxes paid through error; allocating revenue derived and collected under this Act to the Available School Fund and to a Lateral Road Fund; providing that if any section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Act, and that the same shall be and remain in full force and effect; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act providing for a more secret ballot in all elections in Texas; amending Art. 2980, Title 50, Ch. 6, of the R.C.S. of Texas, 1925, providing for the form of ballot; amending Art. 2990, Title 50, Ch. 7, of the R.C.S. of Texas, 1925, providing for the marking of ballot boxes; amending Art. 3008, Title 50, Ch. 8, of the R.C.S. of Texas, 1925, providing for the delivery of ballots amending Art. 3012, Title 50, Ch. 8, of the R.C.S.

of Texas, 1925, providing for the depositing of ballots; amending Art. 3015, Title 50, Ch. 8, of the R.C.S. of Texas, 1925, providing for the depositing of defective ballots in Ballot Box No. 4 and the detachable coupons in Ballot Box No. 5; amending Art. 3018, Title 50, Ch. 8, of the R.C.S. of Texas, 1925, providing that certain ballots be not counted; amending Art. 3109, Title 50, Ch. 13, of the R.C.S. of Texas, 1921, providing for balloting at primaries; amending Art. 3122, Title 50, Ch. 13 of the R.C.S. of Texas, 1925, providing for precaution against fraud; excepting the provisions of this Act from elections in which voting machines are used; providing a savings clause; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 41, An Act to regulate picketing; to declare unlawful mass picketing; to define mass picketing, pickets, and picketing; to declare unlawful use of certain language in attempting to interfere with another's right to work or to enter or leave premises; to declare unlawful certain kinds of picketing; to prescribe penalties; and to provide for severability of provisions; and declaring an emergency.

H. B. No. 34, A bill to be entitled "An Act creating a Firemen's and Policemen's Civil Service in cities

having a population of ten thousand inhabitants or more; defining certain terms used in said Act; providing for a Firemen's and Policemen's Civil Service Commission and providing the method whereby the same shall be appointed and the qualifications of the Commissioners; providing for the organization of said Commission; providing for the powers of said Commission; etc., and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Resolution 69

(Extending Privileges of Floor)

Senator Crawford offered the following resolution:

Whereas, A. T. Quattlebaum, Jr., better known as Sonny, is visiting in the Capitol City with his mother, and

Whereas, Sonny hails from the City of Cleburne, Johnson County, Texas, and is 24 years old, and

Whereas, He is here in the interest of the Bill for Spastics which creates a training school for Spastics in the State of Texas, now, therefore

Be It Resolved, By the Senate of Texas, that Sonny be extended the privileges of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 70

(Expressing appreciation to citizens of Gillespie County)

Senator Hardeman offered the following resolution:

Whereas, Nestling in the heart of the Hill Country of Texas lies the picturesque city of Fredericksburg in Gillespie County which has been observing, in an appropriate manner, the Centennial of its founding on May 8, 1846, by a group of German Emigrants who left a despotic and tyrannical Sovereignty to establish a colony in the then Republic of Texas, and

Whereas, Under the leadership of a German nobleman, the intrepid John O. Meuesbach, who was born May 26, 1812, at Dillenberg, Nassau, Germany, a man well versed in the sciences, statecraft and literature, whose forefathers were Knights of the Crusades, and who renounced his titles upon applying for American citizenship, the first colonists—120 in number—came to Texas to found a new home in a land of freedom and not as emissaries of an autocratic government, and

Whereas, The colonists suffered untold hardships and privations in the frontier wilderness and might not have survived except for the ingenuity, wisdom and courage of John O. Meuesbach who concluded a treaty with the fierce Comanches, who were known for their ruthless warfare and savagery, their enslavement of women and children and as destroyers of property, and

Whereas, The treaty thus made with the Comanche braves and their Chiefs, Santanna and Mopechucopé, near the banks of the San Saba River on March 1, 1847 was never violated because of the faith the Indians had in John O. Meusebach whom they affectionately named the "Great Red Sun", and

Whereas, John O. Meusebach, during his long and eventful life, as he saw prosperity descending on the valley of the Pedernales, continued his colonization efforts from which sprang several other communities in the Comanche domain, embracing Mason and Llano Counties, served as a member of the Senate of Texas in 1851 and held other important public offices and remained a friend to man until he was gathered unto his fathers on May 27, 1897, and

Whereas, The sturdy pioneers of Gillespie County and their descendants, whose love of freedom and honor, their resourcefulness and industry and steadfastness of purpose, have established in the rolling Texas hills a citizenship of loyal, home-loving, God-fearing Americans who hold liberty and justice, righteousness and brotherly love above material riches, and

Whereas, Gillespie County, the home of many gallant men and women, who, on all occasions, have served their country well, both in peace and in armed conflict, is also the birthplace of Fleet Admiral Chester W. Nimitz, born there on February 24, 1885, and who, by reason of his superb qualities of leadership, was selected to command the Pacific Fleet in World War II and is presently Chief of United States Naval Operations, and

Whereas, It is the desire of the Senate of Texas to recognize the Century of Progress that has followed the early struggles and hardships of the founding fathers of the Hill Country, to express its hope and good wishes for the continued forward march of the dauntless and self-reliant sons and daughters of those intrepid pioneers and to say to them that "men's homage and their love shall never cease to follow them," and

Whereas, The Senate of Texas has been invited to attend the closing exercises of the Centennial celebration on April 12, 1947, as the guests of the citizens of Fredericksburg and Gillespie County, now, therefore, be it

Resolved by the Senate of Texas, That the invitation so graciously extended be and the same is hereby acknowledged and that the Senate express to the citizens of Fredericksburg and Gillespie County its genuine appreciation therefor and that a copy of this resolution be forwarded by the Secretary of the Senate, under the seal of the Senate, to the City of Fredericksburg, to the County of Gillespie, to Admiral Nimitz and to the only living children of John O. Meusebach, namely, Mrs. Ernst Marschall, Llano, Texas and Mrs. Wm. Marschall, Fredericksburg, Texas, and that a copy of this resolution be spread upon the Senate Journal on a page set apart for such purpose.

The resolution was read and was adopted.

Senate Concurrent Resolution 23

Senator Kelley of Hidalgo offered the following resolution:

S. C. R. No. 23, Inviting President Miguel Aleman of Mexico to address the Legislature.

Whereas, The President of the Republic of Mexico, The Honorable Miguel Aleman, will be a most honored and welcome visitor to the United States between April 29th and May 7th, 1947; and

Whereas, All Texans feel a warm friendship for the citizens of Mexico, our great neighbor to the south; and

Whereas, The people and the Legislature of this State would be greatly honored by an official visit by this distinguished statesman; and

Whereas, It has been many years since the citizens of Texas have had an opportunity to greet officially the chief executive of the Republic of Mexico; now, therefore, be it

Resolved, By the Senate of the Fiftieth Legislature of Texas, the House of Representatives concurring, that the Honorable Miguel Aleman, President of the Republic of Mexico, be extended a most sincere and cordial invitation to address a joint session of the Senate and House of Representatives of the State of Texas at such day and hour as may be most convenient for him during his trip to the United States; and be it further

Resolved, that the Secretary of the Senate be instructed to send immediately to the Honorable Miguel Aleman a copy of this resolution, and also inform him thereof by telegram.

The resolution was read.

On motion of Senator Kelley of Hidalgo, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 172 with House Amendments

Senator Harris called S. B. No. 172 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate, and the House amendments were read.

Senator Harris moved that the Senate do not concur in the House amendments and that a conference commit-

tee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Harris, Lane, Carney, Hardeman, and Kelly of Tarrant.

Senate Resolution 71

(Extending good wishes to Mrs. R. A. Weinert.)

Senator Moffett offered the following resolution:

Whereas, the members of the Senate have learned with deep regret of the continued illness of Mrs. R. A. Weinert, the wife of their highly esteemed friend and colleague, Senator R. A. Weinert of Guadalupe County; therefore, be it

Resolved, that we extend to her our sincerest wishes for a speedy recovery from her illness and an early return to her home; and be it further

Resolved, that the Secretary of the Senate be instructed to send her, in Seguin, Texas, flowers, and a copy of this Resolution.

Allan Shivers, Lieutenant Governor; Senators Aikin, Brown, Bullock, Carney, Chadick, Cousins, Crawford, Hardeman, Harris, Hazlewood, Jones, Kelley of Hidalgo, Kelly of Tarrant, Knight, Lane Mauritz, Moffett, Morris, Parrish, Phillips, Proffer, Ramsey, Stanford, Strauss, Taylor, Tynan, Vick, Winifield, York.

The resolution was read.

On motion of Senator Harris, and by unanimous consent, the names of the Lieutenant Governor and all Members of the Senate were added to the resolution as signers thereof.

The resolution was adopted.

House Bill 168 Recommitted

On motion of Senator Moffett, and by unanimous consent, House Bill No. 168 was recommitted to the Committee on State Affairs.

Senate Bill 167 on Second Reading

Senator Ramsey moved to suspend the regular order of business to take up Senate Bill No. 167 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York

Present—Not Voting

Cousins

Absent

Morris

Absent—Excused

Mauritz

Weinert

The President then laid before the Senate on its second reading, and passage to engrossment:

S. B. No. 167, A bill to be entitled "An Act to prohibit secondary strikes, secondary picketing and secondary boycotts; defining terms; providing a penalty; providing damages; providing for the enforcement by authorizing injunctions; repealing all laws in conflict herewith; providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Ramsey offered the following amendment to the bill:

Amend Senate Bill No. 167 by deleting paragraph b. of Section 2 thereof and inserting in lieu thereof the following:

"b. Secondary strike shall mean a temporary stoppage of work by the concerted action of two or more employees of an employer where no labor dispute exists between the employer and such employees, and where such temporary stoppage results from a labor dispute between another employer and his or its employees."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 167 on Third Reading

Senator Ramsey moved that the

constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 167 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Lane	

Present—Not Voting

Cousins

Absent—Excused

Mauritz

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Chadick and Lane asked to be recorded as voting "nay" on the passage of the bill.

Senate Resolution 72

(Presentation of Mertzon High School Class)

Senator Hardeman offered the following resolution:

Whereas, The Senior Class of the Mertzon High School, together with the class sponsors and the Superintendent of said High School are visiting in Austin and are at present in the gallery as guests of the Senate, now, therefore, be it

Resolved by the Senate that their presence be recognized and that the good wishes of the Senate be extended them.

HARDEMAN
PROFFER

The resolution was read and was adopted.

Senate Bill 100 on Second Reading

Senator Winfield moved to suspend the regular order of business to take up Senate Bill No. 100 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Crawford	Proffer
Hardeman	Stanford
Harris	Strauss
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Knight	York

Present—Not Voting

Cousins

Absent

Kelly of Tarrant Taylor
Ramsey

Absent—Excused

Mauritz Weinert

The President then laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 100, A bill to be entitled "An Act to amend Article 6626 of the Revised Statutes of Texas, 1925, as amended by Chapter 217, Acts of the Regular Session of the Forty-second Legislature in 1931, relative to the filing and recording of instruments of writing, maps and plats, so as to provide the prerequisites for filing, recording and approving maps and plats subdividing or resubdividing real estate; and declaring an emergency."

The bill was read second time.

Senator Kelly of Tarrant offered the following amendment to the bill:

Amend Senate Bill No. 100, Section 1, Line 36, by striking the quotation marks after the word "Court" and adding the following:

Provided, further that the commissioners' court may, and the governing body of such city or the city planning commission of such city shall upon request of the commissioners' court, require the person, firm or corporation

filing or causing to be filed such plat of any subdivision or any resubdivision of any land outside of the corporate limits of such city, at the sole expense of such person, firm or corporation, to grade and gravel the streets in such subdivision and to construct necessary drainage structures thereon, or to give satisfactory guarantee to the commissioners' court that same will be done within a reasonable time after the filing of such plat."

The amendment was adopted.

Senator Carney offered the following amendment to the bill:

Amend Senate Bill 100 by striking out 25,000 in line 30 and adding 100,000.

Question—Shall the amendment be adopted.

On motion of Senator Winfield, the bill was laid on the table subject to call.

Message from the Governor

The following message received from the Governor today was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,
April 2, 1947.

To the Senate of the Fiftieth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a member of the Board of Directors, Texas College of Arts and Industries to fill the unexpired term of Honorable A. L. Cramer, resigned, term to expire August 31, 1951:

John C. Jones of La Feria, Cameron County.

To be a member of the Board of Directors, Texas College of Arts and Industries for the term expiring August 31, 1949:

R. C. Eckhardt of Kingsville, Kleberg County.

To be a member of the Board of Architectural Examiners to fill the unexpired term of Honorable W. T. Strange, (moved from the State of Texas) term to expire July 26, 1947:

Bartlett Cocke of San Antonio, Bexar County.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Hour for Executive Session

On motion of Senator Brown, and by unanimous consent, the Senate agreed to hold an executive session at 11:00 o'clock a.m. tomorrow.

Motion to Take Up Senate Bill 10

Senator Morris asked unanimous consent to suspend the regular order of business to take up Senate Bill No. 10 for consideration at this time.

The President announced that there was objection.

Motion to Take Up House Bill 334

Senator Kelley of Hidalgo asked unanimous consent to suspend the regular order of business to take up House Bill No. 334 for consideration at this time.

The President announced that there was objection.

Committee to Draft Resolution in Memory of Honorable Lacy Stewart

The President announced the appointment of the following committee to draft a resolution in memory of Senator Lacy Stewart:

Senator Kelly of Tarrant, Chairman; Senators Phillips, Cousins, Strauss and Proffer.

Senate Bill 227 on Second Reading

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 227, A bill to be entitled "An Act amending Article 6008, Title 102, Vernon's Annotated Revised Civil Statutes of the State of Texas, Revision of 1925, (House Bill No. 211 of the Regular Session of the 47th Legislature, 1941), redefining waste and authorizing the use of sweet gas for the manufacture of carbon black without extracting the natural gasoline content therefrom, where such gas is unitized in a plant producing an average recovery of not less than two (2) pounds of carbon black to each one thousand (1,000) cubic feet of gas etc., and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Reports of Standing Committees

By unanimous consent, the follow-

ing reports were submitted at this time:

Austin, Texas,
April 1, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Education, to whom was referred House Bill No. 121, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 330, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

CARNEY, Chairman.

Senate Bill 384 on First Reading

Senator Hazlewood moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Mauritz Weinert

The following bill then was introduced, read first time and referred to the Committee on Judicial Districts.

S. B. No. 384, A bill to be entitled "An Act to amend Subdivision 31 of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1943, Forty-

eighth Legislature, page 23, Chapter 20, par. 1, relating to the District Court for the 31st Judicial District so as to include Hemphill County and to change the dates of convening the District Court in the counties of the 31st Judicial District of Texas; Subdivision 84 of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts of 1943, Forty-eighth Legislature, page 102, Chapter 73, par. 1, relating to the District Court for the 84th Judicial District, so as to exclude Carson and Hemphill Counties, and to change the dates of convening the District Court in the counties of the 84th Judicial District of Texas; Subdivision 100 of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1943, Forty-eighth Legislature, page 30, Chapter 28, par. 1, relating to the District Court for the 100th Judicial District so as to include Carson County and to change the dates of convening the District Court in the counties of the 100th Judicial District of Texas; validating all process, writs, bonds, and recognizances of every kind and character heretofore issued or entered into, and all grand and petit jurors selected and drawn under the existing laws by the various counties affected by this Act, and directing that same shall be returnable and said juror served for the next term of court in the various counties affected after the taking effect of this Act; providing that this Act shall be effective August 1, 1947; providing that if any term of court shall be in session in any of the counties affected by this Act, the same shall continue in session until the adjournment of the term, and thereafter the terms of court in such county shall be held in conformity with this Act; providing that any term of the court may be divided into as many sessions as the Judge thereof may deem expedient for the dispatch of business; providing for the repeal of all laws or parts of laws in conflict herewith, and declaring an emergency."

House Bills on First Reading

The following House bills received from the House today, were laid before the Senate, read first time, and referred to the committees indicated.

H. B. No. 44, to Committee on State Affairs.

H. B. No. 94, to Committee on Privileges and Elections.

H. B. No. 41, to Committee on Labor.

H. B. No. 34, to Committee on State Affairs.

H. B. No. 330, to Committee on Game and Fish.

H. B. No. 435, to Committee on Civil Jurisprudence.

H. B. No. 473, to Committee on Game and Fish.

H. B. No. 569, to Committee on Game and Fish.

H. B. No. 575, to Committee on Game and Fish.

H. B. No. 583, to Committee on Game and Fish.

H. B. No. 587, to Committee on Game and Fish.

H. B. No. 646, to Committee on Game and Fish.

H. B. No. 682, to Committee on Counties and County Boundaries.

H. B. No. 771, to Committee on Game and Fish.

H. B. No. 772, to Committee on Game and Fish.

H. B. No. 769, to Committee on Counties and County Boundaries.

H. B. No. 777, to Committee on Towns and City Corporations.

H. B. No. 546, to Committee on Game and Fish.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. B. No. 17, A bill to be entitled "An Act fixing the terms of leases covering an area within river beds and channels, unsold school lands, both surveyed or unsurveyed, or any area within tidewater limits, including islands, lakes, salt water lakes, bays, inlets, marshes, reefs, the bed of the sea and that portion of the Gulf of Mexico now or hereafter within the jurisdiction of the State of Texas; providing for the amendment of existing leases covering such lands and areas; repealing all laws and parts of laws in conflict herewith; declaring the provisions hereof severable; and declaring an emergency."

H. B. No. 23, "Providing that the inherent right of a person to work and bargain freely with his employer, individually or collectively for terms and conditions of his employment shall not be denied or infringed by law, or

by any organization of whatever nature; that no person shall be denied employment because of membership or non-membership in a labor union; providing that certain types of contracts shall be void and that this Act shall not apply to existing contracts; definitions of words; containing a saving clause with respect to constitutional invalidity; and declaring an emergency."

S. B. No. 264, A bill to be entitled "An Act making appropriation for an increase in salaries of state officials and state employees for the period beginning with the effective date of this Act and ending on August 31, 1947; supplementing the salaries designated and/or provided for in House Bills Nos. 804 and 309, and Senate Bills Nos. 38 and 67, Acts of the Regular Session of the 49th Legislature, and Senate Bill No. 133, Acts of the Regular Session of the 50th Legislature; and declaring an emergency."

H. B. No. 164, A bill to be entitled "An Act authorizing the creation of a County-Wide Equalization Fund in certain counties; providing for an election for a tax to create the County-Wide Equalization Fund; providing for a distribution of the monies in the County-Wide Equalization Fund between the various school districts within the counties; providing for the use of said monies; providing for the printing and form of ballots; providing the qualifications of the voters in said elections; and declaring an emergency."

H. C. R. No. 50, Granting Graham Hamilton permission to sue the State of Texas and the State Highway Department.

H. C. R. No. 70, Granting each House permission to adjourn from Wednesday, April 2, 1947, until Tuesday, April 8, 1947.

S. B. No. 178, A bill to be entitled "An Act declaring a State policy with respect to the maintenance of water, gas and electric service by a utility as defined in said Act, etc.; containing a severability clause; and declaring an emergency."

H. B. No. 605, A bill to be entitled "An Act providing for the election of Trustees in Rural High School

Districts and Consolidated Independent School Districts, composed of the territory formerly comprising ten or more original school districts, two of which shall have been independent school districts containing more than 250 scholastic population; providing that two trustees shall be elected from the territory comprising each of the original independent school districts of more than 250 scholastic population and that the other three shall be elected from the territory formerly comprising the common school districts and independent school districts of less than 250 scholastic population, etc.; and declaring an emergency."

Recess

Senator Morris moved that the Senate recess to 2:30 o'clock p. m. today.

Senator Cousins moved that the Senate adjourn until 12:30 o'clock a. m. tomorrow.

Question first recurring on the motion of Senator Cousins, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—7

Cousins	Stanford
Crawford	Strauss
Hardeman	York
Knight	

Nays—18

Aikin	Lane
Brown	Moffett
Bullock	Morris
Chadick	Phillips
Harris	Proffer
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield

Absent

Carney	Parrish
Ramsey	

Absent—Excused

Mauritz	Weinert
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Question next recurring on the motion of Senator Morris, it prevailed.

The Senate, accordingly, at 12:30 o'clock p. m. took recess to 2:30 o'clock p. m. today.

Afternoon Session

The Senate met at 2:30 o'clock p.

m., and was called to order by the President.

Senate Bill 80 with House Amendments

Senator Harris called S. B. No. 80 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Harris moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Mauritz Weinert

Senate Bill 227 on Passage to Engrossment

The Senate resumed consideration of the pending special order, same being Senate Bill No. 227 on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

Senator Hazlewood offered the following committee amendment to the bill:

Amend Senate Bill 227 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Section 3, Article 6008a, Title 102, Vernon's Civil Statutes of the State of Texas, Annotated, Revision of 1925, being Senate Bill No. 407, Acts of the Forty-fifth Legislature, of the year 1937, is amended by adding two new sections thereto to be known as subdivisions (e) and (f), which shall hereafter read as follows:

"(e) Gas from any gas well producing either sweet or sour gas from any common reservoir producing both sweet and sour gas may be used for the manufacture of carbon black without the prior extraction of its gasoline content provided (1) it is utilized in a plant producing an average recovery of not less than one and one-half (1½) pounds of carbon black per thousand cubic feet of such gas, and provided (2) that the royalty rate and price paid for such gas at the wellhead at least equals the royalty rate and market price paid at the wellhead in the immediate area for gas used for light and fuel purposes. In arriving at such market price, in the case of sour gas, a reduction not to exceed one-half (½) cent per thousand cubic feet shall be allowed for purifying such gas to render it suitable for light and fuel purposes. If such gas be used by a producer, any royalty rate paid shall be paid on the same basis.

"(f) It shall be the duty of the Railroad Commission, after due notice of hearing, to hold and conduct such annual or semi-annual hearings as they may deem necessary for the purpose of determining the market price that is being paid at the wellhead for gas being used and sold for light and fuel purposes; and, after such hearing and determination of such market price, the Railroad Commission shall thereafter post and publish such price, in its main office in Austin, Texas, and its branch office, if any, in the area affected. Thereafter, all parties contracting for gas under the provisions of this Act shall be permitted to accept such posted and published price as the market price to be paid for such gas under the terms hereof."

Sec. 2. Repeal of Conflicting Laws. All laws or parts of laws in conflict with any of the provisions of this Act are hereby repealed.

Sec. 3. Partial Invalidity. If any section or sections, clause, sentence or provision of this Article should, for any reason, be held to be invalid or unconstitutional, it shall not affect in anywise the remaining provisions of this Article, not so held, and all that portion not held invalid shall remain in full force and effect.

Sec. 4. The fact that there are now a considerable number of sweet gas wells in common reservoir producing both sweet and sour gas that have

been drained for years and are now being drained because of the lack of pipe line connections and of market outlets, and because the owners thereof have no markets for such gas for light and fuel purposes creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three (3) several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

On motion of Senator Hazlewood, and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

Senator Lane offered the following amendment to the bill:

Amend Senate Committee Amendment No. 1 to Senate Bill 227 by striking out of Section I in line 30 the language "Two new sections thereto to be known as Subsections (e) and (f)" and by substituting in lieu thereof the language "three new sections thereto to be known as Subdivisions (e), (f) and (g)" and by adding to Section I, Section (g) which shall hereafter read as follows: "(g) Sweet Gas produced from any gas well in this State may be utilized without prior extraction of its gasoline content for the manufacture of carbon black where is it utilized in a plant producing an average recovery of not less than five (5) pounds of carbon Black for each one thousand (1000) cubic feet of gas."

The amendment was adopted.

Senator Knight offered the following amendment to the bill:

Amend Senate Bill No. 227 by striking out the words and figures: "one and one-half (1½)" where such words appear in subsection (e) of Section 1 of said bill, and by inserting in lieu of such words and figures, the following "five (5)."

On motion of Senator Hazlewood the amendment was tabled.

Senator Cousins offered the following amendment to the bill:

Amend Senate Bill No. 227 by striking out the words: "without the prior extraction of its gasoline content" where such words appear in subsection (e) of Section 1 of said bill.

On motion of Senator Hazlewood, the amendment was tabled.

Senator Cousins offered the following amendment to the bill:

Amend Senate Bill No. 227 by striking out the following words and figures: "and provided (2) that the royalty rate and price paid for such gas at the wellhead at least equals the royalty rate and market price paid at the wellhead in the immediate area for gas used for light and fuel purposes. In arriving at such market price, in the case of sour gas, a reduction not to exceed one-half (½) cent per thousand cubic feet shall be allowed for purifying such gas to render it suitable for light and fuel purposes. If such gas be used by a producer, any royalty rate paid shall be paid on the same basis.

"(f) It shall be the duty of the Railroad Commission, after due notice of hearing, to hold and conduct such annual or semi-annual hearings as they may deem necessary for the purpose of determining the market price that is being paid at the wellhead for gas being used and sold for light and fuel purposes; and, after such hearing and determination of such market price, the Railroad Commission shall thereafter post and publish such price in its main office in Austin, Texas, and its branch office, of any, in the area affected. Thereafter, all parties contracting for gas under the provisions of this Act shall be remitted to accept such posted and published price as the market price to be paid for such gas under the terms hereof," where said words and figures appear in subsection (e) and (f) of Section 1 of said bill.

Senator Hazlewood moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—19

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Chadick	Proffer
Hardeman	Stanford
Harris	Taylor
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Lane	

Nays—6

Cousins	Crawford
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Knight
PhillipsStrauss
York

Absent

Carney
Jones

Ramsey

Absent—Excused

Mauritz

Weinert

Senate Bill No. 227 was then passed to engrossment.

Senate Bill 227 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Chadick	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Lane	York

Nays—5

Cousins	Phillips
Crawford	Strauss
Knight	

Absent

Carney

Absent—Excused

Mauritz

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—19

Aikin	Kelley of Hidalgo
Brown	Lane
Bullock	Moffett
Chadick	Morris
Hardeman	Parrish
Harris	Proffer
Hazlewood	Ramsey
Jones	Stanford

Taylor
Tynan

Vick

Nays—8

Cousins	Phillips
Crawford	Strauss
Kelly of Tarrant	Winfield
Knight	York

Absent

Carney

Absent—Excused

Mauritz

Weinert

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate the House has concurred in Senate amendments to House Bill No. 300 by a vote of 128 yeas, no nays.

The House has concurred in Senate amendments to House Bill No. 301 by a vote of 126 yeas, no nays.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Bill 49 on Second Reading

Senator Harris moved to suspend the regular order of business to take up Senate Bill No. 49 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Lane
Bullock	Moffett
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelly of Tarrant	Winfield

Nays—5

Brown	Strauss
Knight	York
Morris	

Absent

Carney	Parrish
Kelley of Hidalgo	

Absent—Excused

Mauritz

Weinert

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 49, A bill to be entitled "An Act prohibiting banks doing business in this State from charging or deducting any sum for the payment of, or the collection from itself of, or the remittance for, checks or drafts drawn upon them by their depositors, except direct charges to their depositors and charges for collection services, defining offenses and prescribing penalties necessary and incident thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 49 on Third Reading

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Moffett
Bullock	Morris
Chadick	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Tynan
Jones	Vick
Kelly of Tarrant	Winfield
Lane	

Nays—4

Brown	Strauss
Knight	York

Absent

Carney	Taylor
Kelley of Hidalgo	

Absent—Excused

Mauritz Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Morris asked to be recorded

as voting "nay" on the passage of the bill.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 22, Providing for Delegates to attend Marine Fisheries' Conference sponsored by Council of State Governments.

S. C. R. No. 23, Inviting President Miguel Aleman of Mexico to address Legislature.

H. B. No. 542, A bill to be entitled "An Act appropriating the sum of One Million Eight Hundred Ten Thousand and Four Hundred Fifty-six and no/100 (\$1,810,456.00) Dollars per year or so much thereof as may be necessary for the next biennium beginning September 1, 1947, and ending August 31, 1949, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, distribution education and for the vocational rehabilitation of disabled persons according to the Federal laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations, and limitations relative thereto; making various allocations of said appropriations, etc., and declaring an emergency."

H. B. No. 73, An Act to define the responsibility of a labor organization for damages resulting from unlawful picketing or strikes on the part of its members; to define a labor organization; to define picketing; to provide a saving clause; and declaring an emergency.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Bill 10 on Third Reading

Senator Morris moved to suspend the regular order of business to take

up Senate Bill No. 10 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Knight
Brown	Lane
Bullock	Morris
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York

Nays—3

Moffett	Taylor
Parrish	

Absent

Carney

Absent—Excused

Mauritz	Weinert
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The President then laid before the Senate on its third reading and final passage:

S. B. No. 10, A bill to be entitled "An Act to protect the right to enter into sales contracts relating to commodities bearing the trade-mark, brand or name of its producer or owner to protect producers or owners, distributors, dealers and the general public against injurious practices in the sale and resale of commodities of standard quality under distinguished trade-marks, brands and names; and to facilitates fair practices in the sale of commodities which are in fair and open competition with commodities of the same general class; defining and making unfair competition actionable at the suit of a person damaged thereby, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—19

Aikin	Morris
Bullock	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Harris	Strauss
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	York
Knight	

Nays—7

Hardeman	Parrish
Kelly of Tarrant	Taylor
Lane	Winfield
Moffett	

Absent

Brown	Carney
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Absent—Excused

Mauritz	Weinert
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Senate Bill 241 on Second Reading

Senator Cousins moved to suspend the regular order of business to take up Senate Bill No. 241 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Brown	Lane
Bullock	Moffett
Chadick	Morris
Cousins	Parrish
Crawford	Phillips
Harris	Proffer
Jones	Stanford
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Taylor
Knight	Tynan

Nays—5

Aikin	Winfield
Hardeman	York
Ramsey	

Absent

Carney	Vick
Hazlewood	

Absent—Excused

Mauritz	Weinert
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The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 241, A bill to be entitled "An Act to reorganize the First Judicial District of Texas to be constituted of Jasper, Newton, Sabine and San Augustine counties and to provide for the terms thereof; and to create the 128th Judicial District of Texas to be composed of Orange County, Texas, only, and to provide for the terms thereof; and to provide that the Judge of the First Judicial District shall continue to serve in said district and the period thereof; and to provide that the District Attorney of the First Judicial District now serving as such shall continue to serve in said district and the period thereof; and providing that the District Clerks of Jasper,

Newton, Sabine and San Augustine Counties shall serve as the District Clerks of said First Judicial District and the period thereof; and to provide that the District Clerk of Orange County shall serve as the District Clerk of said 128th Judicial District; and providing that the County Attorney of Orange County, Texas, shall perform the duties of County and District Attorney of said 128th Judicial District and to provide his compensation therefor; and to provide for the appointment of a Judge of the 128th Judicial District and the length of his service as such; and to provide his compensation therefor; etc., and providing that all laws and parts of laws not conforming with the provisions of this Act be and the same are hereby repealed."

The bill was read second time.

Senator Cousins offered the following committee amendment to the bill:

Amend Senate Bill 241 by striking out all of Section 2 and adding in lieu thereof the following:

"Sec. 2. The terms of the First Judicial District Court shall be as follows:

In the County of Jasper on the first Monday in January, and the twenty-second Monday after the first Monday in January.

In the County of Newton on the fifth Monday after the first Monday in January, and the thirty-fourth Monday after the first Monday in January.

In the County of San Augustine on the eleventh Monday after the first Monday in January, and the fortieth Monday after the first Monday in January.

In the County of Sabine on the seventeenth Monday after the first Monday in January, and the forty-fifth Monday after the first Monday in January.

Each term of court in each of such counties may continue until the date herein fixed for the beginning of the next succeeding term therein."

The committee amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend Senate Bill No. 241 by striking out all of Section No. 6 thereof and inserting in lieu thereof a new section to read as follows:

"Section 6. The 128th Judicial Dis-

trict of Texas is hereby created and shall be composed of the County of Orange only. It shall be known as the District Court of the 128th Judicial District and shall be in existence from and after the passage of this Act, until the first day of January, 1951, unless it shall hereafter be extended by an act of the Legislature. All powers and duties by this Act in any way imposed upon the 128th Judicial District shall expire on said January 1, 1951, unless said Court shall be extended by a subsequent act of the Legislature, and upon such expiration all records, pleadings, documents and any other matters then relating to or pending in said 128th Judicial District of Texas, including all cases on the docket of said 128th Judicial District Court shall be transferred without prejudice to the Court of the First Judicial District, and thereafter Orange County shall be a part of said First Judicial District for all purposes."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 241 on Third Reading

Senator Cousins moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 241 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—25

Brown	Morris
Bullock	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	Winfield
Lane	York
Moffett	

Nays—2

Aikin	Hardeman
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Absent

Carney

Absent—Excused

Mauritz	Weinert
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The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Brown	Morris
Bullock	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stanford
Harris	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	York
Moffett	

Nays—6

Aikin	Lane
Hardeman	Ramsey
Hazlewood	Winfield

Absent

Carney

Absent—Excused

Mauritz

Weinert

House Concurrent Resolution 68

On motion of Senator Strauss, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 68, Correcting form of House Bill No. 46.

The resolution was read and was adopted.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Twons and City Corporations, to whom was referred Senate Bill No. 336, instructs me to report it back to the Senate with the recommendation that it do pass as amended and be printed.

JONES, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred S. B. No. 383, have had the same under consideration, and I am

instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COUSINS, Chairman.

Austin, Texas,
April 7, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 5, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BULLOCK, Chairman.

House Concurrent Resolution 65

On motion of Senator Phillips, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 65, Authorizing the Enrolling Clerk of the House to make certain corrections in the caption of House Bill No. 380.

The resolution was read.

Senator Phillips offered the following amendment to the resolution:

Amend H. C. R. No. 65 by Crawford, by adding in the proper place the following:

"The Enrolling Clerk of the House is further instructed to correct H. B. 380, by inserting after the period following the word "attached" at the end of the next to last paragraph of Section 1, the following:

"Provided that during such closed season in Galveston County it shall be lawful to take shrimp for bait by the use and employment of doors or boards of not greater dimension than 20 by 60 inches and to possess not more than 250 pounds of shrimp with heads attached".

And by inserting after the "Semicolon" following the word "herewith" in Section 1b, the following:

"Especially provided that the third paragraph of Section 4a of H. B. 379, Acts of the 50th Legislature is hereby suspended for a period of two years."

The amendment was adopted.

The resolution was adopted by the following vote:

Yeas—27

Aikin	Chadick
Brown	Cousins
Bullock	Crawford

Hardeman	Phillips
Harris	Proffer
Hazlewood	Ramsey
Jones	Stanford
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Taylor
Knight	Tynan
Lane	Vick
Moffett	Winfield
Morris	York
Parrish	

Absent

Carney

Absent—Excused

Mauritz

Weinert

House Bills on First Reading

The following House bills received from the House today, were laid before the Senate, read first time, and referred to the committees indicated.

H. B. No. 542, to Committee on Finance.

H. B. No. 73, to Committee on Labor.

Senate Bill 265 on Second Reading

Senator Knight moved to suspend the regular order of business to take up Senate Bill No. 265 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Knight	York
Lane	

Absent

Carney

Absent—Excused

Mauritz

Weinert

The President then laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 265, A bill to be entitled "An Act ratifying, confirming and validating certain bond election proceedings of certain school districts, cities and towns which have assumed control of their public schools and public free school corporations and election proceedings authorizing the levy of taxes not to exceed certain specified amounts and the taxes authorized at such elections; authorizing the issuance, sale and delivery of bonds voted at such elections and the levy, assessment and collection of taxes to the amount voted, within certain limits, for the payment of such bonds; prescribing the terms and conditions upon which such taxes may be levied; limiting defenses which can be offered against the validity of such bonds after same have been sold and the proceeds of sale have been received; providing that the provisions of this act shall prevail over conflicting provisions of other acts and statutes, but making the provisions hereof, in all other respects, cumulative of existing powers: reciting a saving clause; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Adjournment

On motion Senator Harris, the Senate, at 5:15 o'clock p. m., adjourned until 12:30 o'clock p. m., tomorrow.

FORTY-SEVENTH DAY

(Tuesday, April 8, 1947)

The Senate met at 12:30 o'clock p. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kelly of Tarrant
Brown	Knight
Bullock	Lane
Carney	Moffett
Chadick	Morris
Cousins	Parrish
Crawford	Phillips
Hardeman	Proffer
Harris	Ramsey
Hazlewood	Stanford
Jones	Strauss
Kelley of Hidalgo	Taylor